

IN THE UNITED STATES DISTRICT COURT  
FOR THE MIDDLE DISTRICT OF ALABAMA  
NORTHERN DIVISION

BORRAH CAMPBELL, II, )  
                          )  
Plaintiff,             )  
                          )  
v.                      ) CIVIL ACTION NO. 2:06cv205-WHA  
                          )  
UNITED PARCEL SERVICES, INC., )  
                          )  
Defendant.            )

**ORDER**

Now pending before the court is the plaintiff's motion to reverse civil action to personal injury or tort/civil action (doc. # 29) filed on September 21, 2006.

Accordingly, it is ORDERED as follows:

1. That the plaintiff's motion to reverse civil action to personal injury or tort/civil action (doc. # 29) be and is hereby DENIED.

2. That the plaintiff shall submit to a deposition on or before October 31, 2006.

The plaintiff is relieved of the burden of responding to any outstanding discovery requests pending completion of his deposition.

3. That should it become necessary, the defendant be and is hereby granted leave to request leave from the court to seek additional discovery from the plaintiff after completion of the plaintiff's deposition.

4. All discovery as authorized by FED. R. CIV. P. 26-37, and 45, shall be completed on or before **January 3, 2007**. Notwithstanding any rule to the contrary, all

requests for discovery and all responses to discovery requests, except copies of depositions, shall be filed with the court.

5. Any dispositive motions such as motions to dismiss or motions for summary judgment and any evidentiary materials in support of the motions shall be filed on or before

**February 3, 2007.**

**NOTICE TO PLAINTIFF:** The *Federal Rules of Civil Procedure* require that the plaintiff mail to the lawyer for the defendants or, if no attorney has appeared on behalf of the defendants, the defendants themselves, a true copy of anything which the plaintiff sends to or files with the court. Failure to do so may result in dismissal of this case or other penalties. Anything filed should contain a certificate of service which specifically states that the pleading or other document has been sent to the lawyer for the defendants.

Done this 12<sup>th</sup> day of October, 2006.

/s/Charles S. Coody  
CHARLES S. COODY  
CHIEF UNITED STATES MAGISTRATE JUDGE